

Memorial Resolutions

S. R. No. 289—By Senator Herring: Memorial resolution for Reynolds K. Lowry.

S. R. No. 290—By Senator Hardeman: Memorial resolution for Miss Ethel Foster.

Notice for Local and Uncontested Bill Session

On motion of Senator Hardeman and by unanimous consent, the Senate agreed to hold a session for the consideration of a Local and Uncontested Bills Calendar on Tuesday, April 11, 1961, at 9:00 o'clock a.m.

Recess

On motion of Senator Rogers the Senate at 12:15 o'clock p.m. took Recess until 9:00 o'clock a.m. tomorrow.

FORTY-NINTH DAY

(Continued)

(Tuesday, April 11, 1961)

After Recess

The Senate met at 9:00 o'clock a.m., and was called to order by the President.

Leave of Absence

Senator Martin was granted leave of absence for today on account of important business on motion of Senator Moffett.

Committee on Nominations

On motion of Senator Dies and by unanimous consent the Committee on Nominations was granted permission to meet while the Senate was in session.

Message from the House

Hall of the House of Representatives
Austin, Texas,
April 11, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 46, Relating to Muster Day, April 21st of each year, at Texas A. & M. College.

S. C. R. No. 45, Extending invitations to the Vice President of the United States, the Honorable Lyndon B. Johnson and Chancellor of the Federal Republic of Germany, the Honorable Konrad Adenauer to address a joint session of the Texas Legislature Monday, April 17, 1961.

S. C. R. No. 44, Requesting the House to return H. B. 77 to the Senate for further consideration.

H. C. R. No. 74, Extending congratulations to Chill Wills on being nominated by the Motion Picture Academy of Arts and Sciences for the Academy Award.

H. C. R. No. 75, Requesting the Senate to return House Joint Resolution No. 2 to the House for further consideration.

H. B. No. 417, To reorganize the Thirty-second and the One Hundred Fourth Judicial Districts by removing Fisher County from the One Hundred Fourth Judicial District and adding Fisher County to the Thirty-second Judicial District and making certain other provisions relating thereto; and declaring an emergency.

H. B. No. 507, Relating to manufacture and sale of bedding; amending Section 6 of Senate Bill No. 200, General Laws of the Forty-sixth Legislature, Regular Session, page 376, which pertains to the permits for manufacturing and selling bedding; enforcement provisions; repealing all laws in conflict with the Act; providing a saving clause; and declaring an emergency.

H. B. No. 670, Specifically providing any husband and his wife with the power of creating out of their community property, joint estates, real, personal, or mixed, with rights of survivorship; and declaring an emergency.

H. B. No. 645, A bill to be entitled "An Act relating to the change in name of the North Texas State Teachers College to North Texas State College; amending Chapter 258, Acts of the Fifty-first Legislature, 1949, so as to change the name of North Texas State College to 'University of North Texas'; ratifying and confirming in behalf of 'The University of North Texas' all legislative acts and appropriations heretofore passed in behalf of North Texas State Teachers

College or North Texas State College, or The University of North Texas; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Report of Standing Committee

Senator Krueger by unanimous consent submitted the following report:

Austin, Texas,
April 11, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 169, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

KRUEGER, Chairman.

Local and Uncontested Bills Session

The President announced that the time had arrived for the consideration of the Local and Uncontested Bills Calendar in accordance with a motion previously adopted by the Senate.

Senate Bill 316 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 316, A bill to be entitled "An Act providing for the incorporation of Dental Health Service Corporations under the Texas Non-Profit Corporation Act; adding an exception to the Dental Practice Act; and providing for severance, repealing, and emergency clauses."

The bill was read second time and was passed to engrossment.

Senate Bill 316 on Third Reading

Senator Aikin moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 316 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—21

Aikin	Calhoun
Baker	Colson

Creighton	Moffett
Crump	Owen
Dies	Parkhouse
Fuller	Patman
Hardeman	Ratliff
Herring	Reagan
Kazen	Roberts
Krueger	Willis
Lane	

Absent

Gonzalez	Schwartz
Hazlewood	Secrest
Hudson	Smith
Moore	Weinert
Rogers	

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—21

Aikin	Krueger
Baker	Lane
Calhoun	Moffett
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Roberts
Herring	Willis
Kazen	

Absent

Gonzalez	Schwartz
Hazlewood	Secrest
Hudson	Smith
Moore	Weinert
Rogers	

Absent—Excused

Martin

Senate Bill 54 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 54, A bill to be entitled "An Act to amend Article 4469, Title 71, Chapter 3 of the Revised Civil Statutes of the State of Texas, 1925, as amended by H. B. 454, Acts of the 42nd Legislature, Regular Session, 1931, providing for the registration and registration fee of importers and manufacturers of foods and

drugs, and defining manufacturers and importers; providing for an annual registration fee with the State Department of Health; appropriating fees to the use of the Department; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 54 on Third Reading

Senator Aikin moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 54 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Krueger
Baker	Lane
Calhoun	Moffett
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Roberts
Herring	Rogers
Hudson	Schwartz
Kazen	Willis

Absent

Gonzalez	Secrest
Hazlewood	Smith
Moore	Weinert

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—24

Aikin	Krueger
Baker	Lane
Calhoun	Moffett
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Roberts
Herring	Rogers
Hudson	Schwartz
Kazen	Willis

Absent

Gonzalez	Secrest
Hazlewood	Smith
Moore	Weinert

Absent—Excused

Martin

Senate Bill 279 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 279, A bill to be entitled "An Act providing for an interim joint committee to study development of beach areas; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 279 on Third Reading

Senator Baker moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 279 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Willis
Krueger	

Absent

Gonzalez	Weinert
Smith	

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—27

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Willis
Krueger	

Absent

Gonzales	Weinert
Smith	

Absent—Excused

Martin

(Senator Hardeman in the Chair.)

Senate Bill 345 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 345, A bill to be entitled "An Act amending Article 9.03 of the Texas Non-Profit Corporation Act relating to fees charged by the Secretary of State; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 345 on Third Reading

Senator Colson moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 345 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hazlewood
Baker	Herring
Calhoun	Hudson
Colson	Kazen
Creighton	Krueger
Crump	Lane
Dies	Moffett
Fuller	Moore
Gonzalez	Owen
Hardeman	Parkhouse

Patman	Schwartz
Ratliff	Secrest
Reagan	Smith
Roberts	Weinert
Rogers	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

Committee Substitute
Senate Bill 346 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 346, A bill to be entitled "An Act amending Article 10.01 of the Texas Business Corporation Act relating to fees charged by the Secretary of State; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Committee Substitute
Senate Bill 346 on Third Reading

Senator Calhoun moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 346 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

Senate Bill 115 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 115, A bill to be entitled "An Act to amend Section 92 of House Bill No. 6, Acts of the 55th Legislature, Regular Session, so as to provide that all application fees and license fees collected under this Act shall be set aside and used ex-

clusively by the State Health Department; providing the specific purposes for which the application fees and license fees shall be expended by the State Health Department; making an appropriation of these funds for the purposes enumerated in this Act; and declaring an emergency."

The bill was read second time.

Senator Colson offered the following Committee Amendment to the bill:

Amend S. B. No. 115 by striking out Subsection (b) of Section 1, and substituting in lieu thereof the following:

"(b) All application fees and license fees received by the State Health Department under this Chapter shall be deposited in the State Treasury and there set apart, subject to appropriations by the Legislature, for the uses and purposes prescribed by this Act, including salaries, maintenance, travel expense, repairs, printing and postage."

The Committee Amendment was adopted.

On motion of Senator Colson and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 115 on Third Reading

Senator Colson moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 115 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kazen
Baker	Krueger
Calhoun	Lane
Colson	Moffett
Creighton	Moore
Crump	Owen
Dies	Parkhouse
Fuller	Patman
Gonzales	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Schwartz

Secrest Weinert
Smith Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

Senate Bill 367 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 367, A bill to be entitled "An Act amending Article 3918 of the Revised Civil Statutes of Texas, 1925, as amended, relating to fees charged for services rendered by the General Land Office; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 367 on Third Reading

Senator Colson moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 367 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Colson
Baker	Creighton
Calhoun	Crump

Dies	Owen
Fuller	Parkhouse
Gonzalez	Patman
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers
Kazen	Schwartz
Krueger	Secrest
Lane	Smith
Moffett	Weinert
Moore	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

Committee Substitute Senate Bill 344 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 344, A bill to be entitled "An Act amending Article 3913 of the Revised Civil Statutes of Texas, 1925, and repealing Article 3919 of the Revised Civil Statutes of Texas, 1925, relating to fees charged for services by State departments; and declaring an emergency."

The bill was read second time.

Senator Colson offered the following amendment to the bill:

Amend the Committee Substitute for Senate Bill No. 344 by changing

the period on line 44 of page one of the printed bill to a comma and adding the following:

"and provided further than the Texas Employment Commission shall deposit such fees in accordance with federal law."

The amendment was adopted.

On motion of Senator Colson and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

**Committee Substitute
Senate Bill 344 on Third Reading**

Senator Colson moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 344 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Dies
Baker	Fuller
Calhoun	Gonzales
Colson	Hardeman
Creighton	Hazlewood
Crump	Herring

Hudson	Ratliff
Kazen	Reagan
Krueger	Roberts
Lane	Rogers
Moffett	Schwartz
Moore	Secrest
Owen	Smith
Parkhouse	Weinert
Patman	Willis

Absent—Excused

Martin

Senate Bill 398 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 398, A bill to be entitled "An Act transferring to the State Board of Water Engineers the powers and duties originally vested in the State Reclamation Engineer under Chapters 5 and 6, Title 128, Revised Civil Statutes of Texas, 1925, as amended, and under general and special laws, and all powers and duties of the State Reclamation Engineer vested by law in the Commissioner of the General Land Office by Senate Bill No. 281, Acts of the 46th Legislature, Regular Session, 1939, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 398 on Third Reading

Senator Creighton moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 398 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

Senate Bill 427 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 427, A bill to be entitled "An Act validating, ratifying, approving and confirming bonds heretofore authorized by any Home Rule City in the State of Texas which pledge the revenues of its water, sewer, or electric systems, or any combination of such revenues, and any and all proceedings pertaining to the authorization and issuance thereof, and authorizing the issuance, sale and delivery of such bonds; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 427 on Third Reading

Senator Creighton moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 427 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Baker	Moore
Calhoun	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	

Nays—1

Hardeman

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—29

Aikin	Moffett
Baker	Moore
Calhoun	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	

Nays—1

Hardeman

Absent—Excused

Martin

Senate Bill 137 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 137, A bill to be entitled "An Act to amend Senate Bill No. 86,

Acts 1929, 41st Legislature, First Called Session, Page 57, Chapter 23, as amended by Senate Bill No. 35, Acts 1933, 43rd Legislature, First Called Session, Page 274, Chapter 99, Section 1, same being known as Article 2675-1, Vernon's Texas Civil Statutes, as amended, by adding a new Section immediately following Section 2-b thereof to be known as Section 3, pertaining to the severely physically disabled; providing for administration by the Vocational Rehabilitation Division of the State Department of Education; providing for repealing and severability clauses; declaring legislative intent; and declaring an emergency."

The bill was read second time.

Senator Herring offered the following committee amendment to the bill:

Amend Section 1 of Senate Bill 137 by changing the words "State Department of Education" to "Texas Education Agency."

The committee amendment was adopted.

Senator Herring offered the following amendment to the bill:

Amend Section 1 of Senate Bill 137 in the portion thereof in quotation marks so that it shall read as follows:

"Section 3. The Vocational Rehabilitation Division of the Texas Education Agency is designated and authorized to provide for the rehabilitation of severely physically disabled Texas citizens, excepting those who are blind as defined by House Bill 347, Regular Session, 49th Legislature, 1945, Section 1 (f), and further that nothing herein contained would affect or repeal the present crippled children's restoration service as authorized by Article 4419c and administered by the Crippled Children's Division of the State Department of Health."

The amendment was adopted.

On motion of Senator Herring and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 137 on Third Reading

Senator Herring moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 137 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzales	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

Senate Bill 399 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 399, A bill to be entitled "An Act creating a Juvenile Board for Travis County and designating the members thereof; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 399 on Third Reading

Senator Herring moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 399 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

Senate Bill 98 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 98, A bill to be entitled "An Act amending Articles 2843 of the Revised Civil Statutes of Texas, 1925, as last amended by Chapter 310, Acts of the 56th Legislature, Regular Session, 1959; providing a formula for distribution of textbooks on the subject of agriculture to certain grades; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 98 on Third Reading

Senator Herring moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 98 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Crump
Baker	Dies
Calhoun	Fuller
Colson	Gonzales
Creighton	Hardeman

Hazlewood	Patman
Herring	Ratliff
Hudson	Reagan
Kazen	Roberts
Krueger	Rogers
Lane	Schwartz
Moffett	Secrest
Moore	Smith
Owen	Weinert
Parkhouse	Willis

Absent—Excused

Martin

Senate Bill 394 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 394, A bill to be entitled "An Act amending paragraph (i) of Section 1 of Chapter 314, Acts of the 41st Legislature, Regular Session, 1929, as amended, relating to the definition of 'specialized motor carrier'; and declaring an emergency."

The bill was read second time.

Senator Kazen offered the following amendment to the bill:

Amend Senate Bill 394, line 15, by striking out the words "agricultural products in their natural state," and substituting in lieu thereof the words "livestock feedstuff, broom corn,".

The amendment was adopted.

On motion of Senator Kazen and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 394 on Third Reading

Senator Kazen moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 394 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Crump
Baker	Dies
Calhoun	Fuller
Colson	Gonzalez
Creighton	Hardeman

Hazlewood	Patman
Herring	Ratliff
Hudson	Reagan
Kazen	Roberts
Krueger	Rogers
Lane	Schwartz
Moffett	Secrest
Moore	Smith
Owen	Weinert
Parkhouse	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

Senate Bill 257 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 257, A bill to be entitled "An Act amending Section 2a of Article 7057b, Vernon's Revised Civil Statutes of Texas, 1925, as amended, Acts of 1939, 46th Legislature, page 643, Section 2; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Senator Hudson offered the following amendment to the bill:

Amend Senate Bill 257 by striking out all below the enacting clause and substituting in lieu thereof the following:

Section 1. Section 2a of Article 7057b, Vernon's Revised Civil Statutes of Texas, 1925, as amended, Acts of 1939, 46th Legislature, page 643, Section 2, be and the same is hereby amended so as to read as follows:

"Section 2a. After such suit is filed in a Court of competent jurisdiction in Travis County, and before such suit is tried by said Court, said tax-payer pays additional taxes under protest, the grounds of protest being the same as in the original petition filed in said Court, and the total of said taxes exceeds the jurisdiction of said Court, then the tax-payer will be authorized to file suit within ninety (90) days after the payment of such additional taxes in a Court in Travis County which has jurisdiction of the total amount of said taxes paid under protest, and when such suit is filed it shall be deemed to have been filed in conformity with the provisions of this Act. After any original petition has been filed in any court of competent jurisdiction seeking a refund of any taxes paid under protest it will not be necessary to amend such original petition to include further payments made under protest until 5 days before such suit is ready for trial, on or before which time such petition shall be amended so as to include all payments made under protest after the filing of the original petition. This provision shall not be construed as dispensing with the necessity of paying said taxes as they become due and accompanying such payment with the written grounds of protest. Provided further, that if an appeal is taken from the final judgment rendered in such suit, the tax-payer will not be relieved of the duty of continuing paying said taxes under protest pending the appeal of said case; however, it will not be necessary for such tax-payer to file suit within ninety (90) days after the payment of such taxes, but the disposition of such taxes shall be governed by the outcome of the original suit."

Section 2. All laws or parts of laws in conflict herewith are expressly repealed to the extent of such conflict.

Section 3. The fact that under the present laws the requirement of filing amended petitions is a useless requirement, thereby requiring additional storage space, and the crowded condition of the Calendar create an emergency and a public necessity that the constitutional rule requiring bills

to be read on three several days in each house be suspended, and that this Act shall take effect and be in force from and after its passage, and it is so ordered.

HUDSON
OWEN

The amendment was adopted.

On motion of Senator Hudson and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 257 on Third Reading

Senator Hudson moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 257 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Fuller
Baker	Gonzalez
Calhoun	Hardeman
Colson	Hazlewood
Creighton	Herring
Crump	Hudson
Dies	Kazen

Krueger	Reagan
Lane	Roberts
Moffett	Rogers
Moore	Schwartz
Owen	Secrest
Parkhouse	Smith
Patman	Weinert
Ratliff	Willis

Absent—Excused

Martin

**House Concurrent Resolution 75
on Second Reading**

The Presiding Officer laid before the Senate on its second reading the following resolution:

H. C. R. No. 75, Requesting the return of H. J. R. No. 2 to House for further consideration.

The resolution was read and was adopted.

Senate Bill 182 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 182, A bill to be entitled "An Act amending Article 12.03, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925, so as to exempt nonprofit corporations having no capital stock organized for the purpose of providing or operating recreational facilities from the payment of franchise tax; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 182 on Third Reading

Senator Krueger moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 182 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Fuller
Baker	Gonzalez
Calhoun	Hardeman
Colson	Hazlewood
Creighton	Herring
Crump	Hudson
Dies	Kazen

Krueger	Reagan
Lane	Roberts
Moffett	Rogers
Moore	Schwartz
Owen	Secrest
Parkhouse	Smith
Patman	Weinert
Ratliff	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

Senate Bill 91 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 91, A bill to be entitled "An Act to amend Section 1 and Section 3 of H. B. 754, Acts of the Regular Session, 49th Legislature, providing a distinction between crippled children and needy children; providing that appliances, braces and material necessary for the proper handling of crippled children shall not be considered personal property of the State; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 91 on Third Reading

Senator Lane moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three

several days be suspended and that S. B. No. 91 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

Committee Substitute Senate Bill 401 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 401, A bill to be entitled "An Act amending Chapter 99, House Bill 33, Acts Regular Session

Fifty-first Legislature of the State of Texas, 1949, Article 6228b of Vernon's Revised Civil Statutes by adding two new sections thereto to be designated as Sections 6A and 6B; providing that the beneficiary of a deceased retired judge shall be paid the difference between the total amount of the contributions made by him and the amount received by him as retirement pay; providing that the provisions of the Act shall not apply to any person who is first elected or appointed a judge after his seventieth birthday; providing a forfeiture of any retirement benefits and right to return of contributions by any judge who qualifies for a new term after becoming seventy years of age; repealing all laws, general and special, in conflict with this Act; and declaring an emergency."

The bill was read second time.

Senator Lane offered the following amendment to the bill:

Amend Committee Substitute for Senate Bill 401, printed copy, by adding a new section to be known as Section 2a, to read as follows:

"Section 2a: The effective date of this Act shall be January 2, 1963."

The amendment was adopted.

Senator Lane offered the following amendment to the bill:

Amend Committee Substitute for Senate Bill 401, printed copy, by inserting the following words after the period at the end of the sentence on line 52 which ends with the word "birthday":

"From and after the effective date of this Act."

The amendment was adopted.

Senator Lane offered the following amendment to the bill:

Amend the caption to the Committee Substitute for Senate Bill 401, printed copy, by adding the following words before the semicolon at the end of line 30:

"from and after the effective date of this Act";.

The amendment was adopted.

On motion of Senator Lane and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

**Committee Substitute
Senate Bill 401 on Third Reading**

Senator Lane moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 401 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas 30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

Senate Bill 266 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 266, A bill to be entitled "An Act amending Section 112(b) of Article 6701d of the Revised Civil Statutes of Texas, relating to mounting height of reflectors on motor vehicles; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 266 on Third Reading

Senator Moore moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 266 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—29

Aikin	Hazlewood
Baker	Herring
Calhoun	Hudson
Colson	Kazen
Creighton	Krueger
Crump	Lane
Dies	Moffett
Fuller	Moore
Gonzalez	Owen

Parkhouse	Schwartz
Patman	Secrest
Ratliff	Smith
Reagan	Weinert
Roberts	Willis
Rogers	

Nays—1

Hardeman

Absent—Excused

Martin

Senate Bill 366 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 366, A bill to be entitled "An Act making it a misdemeanor to maliciously obstruct emergency telephone calls; providing penalties; and declaring an emergency."

The bill was read second time.

Senator Moore offered the following Committee Amendment to the bill:

Amend Section 3 of S. B. 366 by striking out the last sentence of Section 3 and substitute in lieu thereof the following:

"Any person, firm or corporation providing telephone service, distributing or causing to be distributed in this state, copies of a telephone directory subject to the provisions of this section, which wilfully fails to print therein the notice herein provided for shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than Two Hundred Fifty Dollars (\$250) nor more than One Thousand Dollars (\$1,000)."

The Committee Amendment was adopted.

On motion of Senator Moore and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 366 on Third Reading

Senator Moore moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 366 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

Senate Bill 30 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 30, A bill to be entitled "An Act amending Article 3.34 of Chapter 491, Acts of the 52nd Legislature, Regular Session, 1951, as last amended, which is codified as Article 3.34 of the Texas Insurance Code, Vernon's Texas Civil Statutes, by add-

ing certain public utility gas corporate securities as eligible investments for Texas insurance companies; repealing laws in conflict; providing for severability; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 30 on Third Reading

Senator Owen moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 30 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

Senate Bill 237 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 237, A bill to be entitled "An Act authorizing the Board of Regents of The University of Texas to exchange lands in Dallas County, Texas, and to execute deeds with the Dallas County Hospital District, Dallas County, Texas, and to convey the site received in exchange to the governing board of the Children's Medical Center of Dallas, Dallas County, Texas, to be used as a teaching facility fully integrated with the medical program of the University of Texas Southwestern Medical School, Dallas, Texas; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 237 on Third Reading

Senator Parkhouse moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 237 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

Senate Bill 320 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 320, A bill to be entitled "An Act amending various sections of Chapter 137, Acts of the Fifty-sixth Legislature; making the Joint Board of Park Commissioners a body corporate and politic and providing that title to the park properties and facilities shall be vested in said board; relieving the county officials and commissioners' courts of certain duties and responsibilities with respect to the functions of said board and the issuance of the bonds under this Act; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 320 on Third Reading

Senator Parkhouse moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 320 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Fuller
Baker	Gonzalez
Calhoun	Hardeman
Colson	Hazlewood
Creighton	Herring
Crump	Hudson
Dies	Kazen

Krueger	Reagan
Lane	Roberts
Moffett	Rogers
Moore	Schwartz
Owen	Secrest
Parkhouse	Smith
Patman	Weinert
Ratliff	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

Senate Bill 247 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 247, A bill to be entitled "An Act to fix and make certain the amount of compensation to be paid from county funds by counties having a population of 900,000 or more, according to the last preceding federal census and having eight (8) or more Civil District Courts, three (3) or more Criminal District Courts, two (2) or more Domestic Relations Courts, and one (1) or more Juvenile Courts, as compensation to Districts, Criminal Districts, Domestic Relations and Juvenile Judges in such counties; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 247 on Third Reading

Senator Parkhouse moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 247 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

Senate Bill 197 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 197, A bill to be entitled "An Act amending Chapter 43, Acts 1954, 53rd Legislature, First Called Session, as amended by Chapter 225, Acts 1957, 55th Legislature (Vernon's Ann. Civil Statutes Art. 1269j), by adding a new Section to make bonds issued for Airport purposes eligible as security for public funds and as investments for certain funds; enacting other matters related to the subject and declaring an emergency."

The bill was read second time.

Senator Parkhouse offered the following amendment to the bill:

Amend S. B. 197, by striking out all of Sec. 1 and inserting in lieu thereof the following:

"1. That Chapter 43, Acts 1954, 53rd Legislature, First Called Session, as amended by Chapter 225, Acts 1957, 55th Legislature; Regular Session (Vernon's Ann. Civil Statutes Art. 1269j-5) be amended by adding a new section to read as follows:

"4(a) Bonds issued by any city having a population of 600,000 or more according to the next preceding Federal census, pursuant to the provisions of this law shall be and are hereby declared to be legal and authorized investments for banks, savings banks, trust companies, building and loan associations and all insurance companies. Such bonds shall be eligible to secure the deposit of any and all public funds of the State of Texas and any and all public funds of cities, counties, school districts, or other political corporations or subdivisions of the State of Texas, and such bonds shall be lawful and sufficient security for said deposits to the extent of the principal amount thereof, or their value on the market, whichever is the lesser, when accompanied by all unmatured coupons appurtenant thereto."

The amendment was adopted.

Senator Parkhouse offered the following amendment to the bill:

Amend S. B. No. 197 by striking out the caption and inserting in lieu thereof the following:

"An Act amending Chapter 43, Acts 1954, 53rd Legislature, First Called Session, as amended by Chapter 225, Acts 1957, 55th Legislature (Vernon's Ann. Civil Statutes Art. 1269j-5), by adding a new section to make bonds

issued by any city having a population of 600,000 or more according to the next preceding Federal Census, for airport purposes eligible as security for public funds and as investments for certain funds; enacting other matters related to the subject and declaring an emergency."

The amendment was adopted.

The bill as amended was passed to engrossment.

Senate Bill 197 on Third Reading

Senator Parkhouse moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 197 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Hazlewood
Baker	Herring
Calhoun	Hudson
Colson	Kazen
Creighton	Krueger
Crump	Lane
Dies	Moffett
Fuller	Moore
Gonzalez	Owen
Hardeman	Parkhouse

Patman	Schwartz
Ratliff	Secrest
Reagan	Smith
Roberts	Weinert
Rogers	Willis

Absent—Excused

Martin

Senate Bill 376 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 376, A bill to be entitled "An Act amending Section 5 and Subsection (2) of Paragraph A of Section 6 of Chapter 382, Acts of the 56th Legislature, Regular Session, 1959, which are codified as Section 5 and Subsection (2) of Paragraph A of Section 6 of Article 6066d, Vernon's Texas Civil Statutes, by removing certain appliance salesmen from licensing provisions as well as persons engaged in installing and repairing certain appliances; and declaring an emergency."

The bill was read second time.

Senator Patman offered the following Committee Amendment to the bill:

Amend Senate Bill No. 376 by striking all below the enacting clause and substituting therefor the following:

"Section 1. Section 5 of Chapter 382, Acts of the 56th Legislature, Regular Session, 1959, which is codified as Section 5 of Article 6066d, Vernon's Texas Civil Statutes, is amended to read as follows:

'Sec. 5. No person, firm, corporation or association shall engage in this State in the manufacturing, and/or assembling, and/or repairing, and/or selling, and/or installing of containers; nor shall any person, firm, corporation or association engage in the laying or connecting of pipes or piping, including all types of fittings, either in connecting with or to liquefied petroleum gas systems, or with or to house service lines or house pipes, nor in any manner lay or connect pipes or piping, including all types of fittings, to serve a system or appliances to be used with liquefied petroleum gas as a fuel; nor shall such persons, firms, corporations or associations engage in the service, installation and/or repair of appliances using or to be used in connection with systems using liquefied petroleum gas as a fuel, nor shall such persons, firms, corporations or associations en-

gage in the sale, transportation, dispensing or storage of liquefied petroleum gases within this State, except where stored by the ultimate consumer for consumption only, without having first obtained from the Railroad Commission of Texas under the provisions of this Act, a license to do so, except where the LPG so handled is in quantities of less than one (1) gallon United States water capacity and is an integral part of a device for its utilization or where such person is not engaged in business as a dealer in LPG specifically set out in Section 6 hereof.'

Sec. 2. Section 6 of Chapter 382, Acts of the 56th Legislature, Regular Session, 1959, which is codified as Section 6 of Article 6066d, Vernon's Texas Civil Statutes, is amended to read as follows:

'Sec. 6. A prospective dealer in LPG may make application to the LPG Division as provided in Section 9 of this Act, for a license to engage in any or all of the following categories of dealers; and the following license fees are hereby fixed and assessed for each such category:

(1) Manufacturers or Fabricators. The manufacture, fabrication, assembly and/or sale of LPG containers, tanks, and/or equipment. The license fee for this category shall be One Hundred Dollars (\$100) per annum.

(2) Limited Installers or Repairmen. The installation, service and/or repair of cooking and space heating appliances, excluding water heaters, floor furnaces and central heating units, and excluding the installation of LPG systems of equipment other than an appliance connector approved by the LPG Division. The license fee for this category shall be Five Dollars (\$5) per annum.

(3) Wholesalers or Jobbers. Any person who is not a producer or refiner who sells LPG to transporters, industrial consumers, processors, distributors and/or retail dealers. The license fee for this category shall be One Hundred Dollars (\$100) per annum.

(4) Carriers. The transportation only of LPG by carriers for hire or contract. The license fee for this category shall be One Hundred Dollars (\$100) per annum.

(5) General installers and repairmen. The sale, service, installation, and/or repair of containers, tanks, systems, piping, and equipment which utilize LPG, and the service, installa-

tion, and/or repair of appliances which utilize LPG. The license fee for this category shall be Twenty-five Dollars (\$25) per annum.

(6) Retail and Wholesale Dealers. The transportation, storage, sale, distribution, and/or delivery of LPG at retail or wholesale, including the sale, service, installation and/or repair of LPG containers, tanks, piping, and/or equipment, and further including the service, installation and/or repair of LPG appliances. The license fee for this category shall be One Hundred Dollars (\$100) per annum.

(7) Carburetors. The sale, installation, service and/or repair of LPG motor fuel carburetion systems and equipment. The licensing fee for this category shall be Twenty-five Dollars (\$25) per annum.

(8) Bottle Exchanges. The operation of an ICC bottle, filling and/or container exchange including the buying and selling, but not the delivery pickup or other transportation, of ICC bottles or containers. The license fee for this category shall be Twenty-five Dollars (\$25) per annum.

(9) Service Station. The operation of a LPG motor fuel service station only. The license fee for this category shall be Twenty-five Dollars (\$25) per annum.

(10) Municipal Corporations. The operation of a LPG system through mains, meters or pipes by any incorporated city, village or town. The license fee for this category shall be Twenty-five Dollars (\$25) per annum.

(11) Bottle Dealers. The transportation, delivery, and pickup of ICC bottles and/or containers. The license fee for this category shall be One Hundred Dollars (\$100) per annum.

(12) Bottle Installers. The installation and/or connection of ICC bottles and/or containers. The license fee for this category shall be Twenty-five Dollars (\$25) per annum.'

Sec. 3. The importance of this legislation and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

CREIGHTON
PATMAN

The Committee Amendment was adopted.

Senator Patman offered the following Committee Amendment to the bill:

Amend Senate Bill No. 376 by striking all above the enacting clause and substituting therefor the following:

"A BILL

To Be Entitled

An Act amending Section 5 and 6 of Chapter 382, Acts of the 56th Legislature, Regular Session, 1959, which are codified respectively as Sections 5 and 6 of Article 6066d, Vernon's Texas Civil Statutes; relating to licenses for certain persons, activities and objects covered by the Act; and relating to the categories for assessing fees for such licenses; and declaring an emergency."

**CREIGHTON
PATMAN**

The Committee Amendment was adopted.

The bill as amended was passed to engrossment.

Senate Bill 376 on Third Reading

Senator Patman moved that Senate Rule 32 and the Constitutional Rule requiring bills be read on three several days be suspended and that S. B. No. 376 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

Senate Bill 414 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 414, A bill to be entitled "An Act authorizing counties to acquire a supply of fresh water for the courthouse and other county purposes and providing for the acquisition of such treatment and distribution facilities as may be required; providing the circumstances under which such counties may sell water not needed for courthouse and other county purposes to others; providing for the issuance of bonds to pay the cost of such project; providing that such bonds shall be secured by a pledge of the net revenues from the operation of the project; providing that such bonds may be additionally secured by the levy of a tax; etc.; and declaring an emergency."

The bill was read second time.

Senator Ratliff offered the following committee amendment to the bill:

Amend S. B. 414 by adding a new sub-section to be numbered Section 15a which shall read as follows:

"15a. The provisions of this Act shall expire on September 1, 1963."

The committee amendment was adopted.

The bill as amended was passed to engrossment.

Record of Vote

Senator Rogers asked to be recorded as voting "Nay" on the passage of S. B. No. 414 to engrossment.

Senate Bill 414 on Third Reading

Senator Ratliff moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 414 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Schwartz
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	

Nays—1

Rogers

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—29

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Schwartz
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	

Nays—1

Rogers

Absent—Excused

Martin

Senate Bill 422 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 422, A bill to be entitled "An Act amending Sections 4 and 5 of Chapter 124, Acts of the 54th Legislature Regular Session, 1955, to provide for a salary increase for the Criminal District Attorney for Galveston County; to authorize appointment of one (1) first assistant and four (4) additional assistants to the Criminal District Attorney of Galveston County; to authorize employment of three (3) secretaries to the Criminal District Attorney of Galveston County; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 422 on Third Reading

Senator Schwartz moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 422 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Baker
-------	-------

Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis

Absent—Excused

Martin

Senate Bill 339 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 339, A bill to be entitled "An Act validating Matagorda County Water Control and Improvement District No. 6 and declaring it to be a validly existing and operating conservation and reclamation district under Section 59, Article XVI, Texas Constitution; validating the boundaries of such District; validating governmental proceedings and acts; etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 339 on Third Reading

Senator Schwartz moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 339 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Hudson
Baker	Kazen
Calhoun	Krueger
Colson	Lane
Creighton	Moffett
Crump	Moore
Dies	Owen
Fuller	Parkhouse
Gonzalez	Patman
Hazlewood	Ratliff
Herring	Reagan

Roberts	Smith
Rogers	Weinert
Schwartz	Willis
Secrest	

Nays—1

Hardeman

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—29

Aikin	Moffett
Baker	Moore
Calhoun	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	

Nays—1

Hardeman

Absent—Excused

Martin

Senate Bill 252 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 252, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as 'El Lago Municipal Utility District'; prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions relating to the subject; providing a severability clause; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 252 on Third Reading

Senator Schwartz moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 252 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

Senate Bill 340 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 340, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as 'Glenwood Bayou Municipal Utility District'; prescribing its rights, powers, privileges and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 340 on Third Reading

Senator Schwartz moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 340 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Creighton
Baker	Crump
Calhoun	Dies
Colson	Fuller

Gonzalez	Parkhouse
Hardeman	Patman
Hazlewood	Ratliff
Herring	Reagan
Hudson	Roberts
Kazen	Rogers
Krueger	Schwartz
Lane	Secrest
Moffett	Smith
Moore	Weinert
Owen	Willis

Absent—Excused

Martin

Senate Bill 317 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 317, A bill to be entitled "An Act to authorize certain counties to borrow money; and to authorize such counties to issue time warrants, or other obligations of such counties as evidence of such loans and to levy and pledge taxes in payment therefor; empowering the county commissioners with authority to approve the issuance of time warrants or obligations; providing for signature on such warrants or obligations by the county judge and county clerk; establishing the validity of such warrants and obligations; providing that if any part of this amendment shall be unconstitutional or invalid for any reason, the remainder shall, nevertheless, be in full force and effect; and declaring an emergency."

The bill was read second time.

Senator Smith offered the following amendment to the bill:

Amend S. B. No. 317 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. All counties of this State having a population of more than seven thousand five hundred (7,500) but less than ten thousand (10,000) people, according to the last preceding United States Census, and which had taxable property in said county in excess of Forty-five Million Dollars (\$45,000,000) according to its last ad valorem tax rolls, are hereby expressly authorized and empowered to borrow money from any source, public or private, in any amount not to exceed the aggregate principal

amount of One Hundred and Sixty-five Thousand Dollars (\$165,000). By the term "aggregate principal amount" is meant the total of the sums so borrowed by any county under the provisions of this Act, and not the balance owing and due by any county at any one time.

Sec. 2. Such counties are further hereby expressly authorized and empowered to issue time warrants and/or other obligations of such counties in evidence of money borrowed, which warrants or obligations may draw interest at any rate not to exceed four per cent (4%) per annum, and may be payable within such time, not to exceed ten (10) years, and on such terms as may be agreed upon between the lending agency and the county to which the loan is made; and such counties are further expressly authorized to levy taxes and to pledge any taxes and/or revenues provided for such counties, under the Constitution and laws of this State, in payment of such loans.

Sec. 3. The commissioners court of any such county qualifying under Section 1 is empowered with authority to approve the issuance of such warrants or obligations which may be in any amount or amounts, providing that the total of such warrants or obligations does not exceed One Hundred and Sixty-five Thousand Dollars (\$165,000). No such warrants or obligations shall be issued, sold or delivered after five years from the effective date of this act.

Sec. 4. Such warrants or obligations, upon approval by the commissioners court, shall be signed by the county judge and county clerk of such county.

Sec. 5. Such warrants or obligations, when issued and signed in accordance with the provisions of this Act, shall constitute valid obligations of such counties.

Sec. 6. This Act should be cumulative of all other laws, general and special, relating to the subject matter hereof.

Sec. 7. If any section, paragraph or provision of this Act be declared unconstitutional or invalid for any reason, such holding shall not in any manner affect the remaining sections, paragraphs or provisions of this Act, but the same shall remain in full force and effect.

Sec. 8. The fact that the present laws are inadequate for county financing in such counties and work an

undue hardship on these counties and creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in both houses be suspended, and such Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

On motion of Senator Smith and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 317 on Third Reading

Senator Smith moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 317 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Dies
Baker	Fuller
Calhoun	Gonzalez
Colson	Hardeman
Creighton	Hazlewood
Crump	Herring

Hudson	Ratliff
Kazen	Reagan
Krueger	Roberts
Lane	Rogers
Moffett	Schwartz
Moore	Secrest
Owen	Smith
Parkhouse	Weinert
Patman	Willis

Absent—Excused

Martin

Senate Bill 201 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 201, A bill to be entitled "An Act to amend Section 1 of Chapter 25 of the general laws of the 54th Legislature, Regular Session, 1955, which is codified as Section 1 of Article 2815-r1 of Vernon's Texas Civil Statutes, so as to authorize the governing board of any junior college district or union junior college district to acquire land for buildings and other structures and for additions to existing buildings and other structures by eminent domain.

The bill was read second time and was passed to engrossment.

Senate Bill 201 on Third Reading

Senator Smith moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 201 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

Senate Bill 429 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 429, A bill to be entitled "An Act amending Article 4479 of the Revised Civil Statutes of Texas, 1925, as amended, to allow the commissioners court of a county to compensate the board of managers of county hospitals by furnishing hospitalization insurance; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 429 on Third Reading

Senator Smith moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 429 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Dies
Baker	Fuller
Calhoun	Gonzalez
Colson	Hardeman
Creighton	Hazlewood
Crump	Herring

Hudson	Ratliff
Kazen	Reagan
Krueger	Roberts
Lane	Rogers
Moffett	Schwartz
Moore	Secrest
Owen	Smith
Parkhouse	Weinert
Patman	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

Committee Substitute Senate Bill 255 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 225, A bill to be entitled "An Act relating to fixing speed limits for passenger vehicles on turnpikes operated by the Texas Turnpike Authority, amending Chapter 410, Acts of the 53rd Legislature, Regular Session, 1953, by adding thereto two new sections; and declaring an emergency."

The bill was read second time.

Senator Willis offered the following amendment to the bill:

Amend Committee Substitute for Senate Bill No. 255 by striking out all below the enacting clause and in-

serting in lieu thereof the following:

Section 1. Sec. 8 of Chap. 42, Acts of the 41st Legislature, 2nd Called Session, as amended by Chap. 46, Acts of the 52nd Legislature, 1951, and by Chap. 488, Acts of 1955, 54th Legislature (now codified as Sec. 8 of Art. 827a of Vernon's Penal Code), is amended by the addition of a new subsection to be entitled Sub-section 2A, which shall read as follows:

"Sub-section 2A. Authority of Texas Turnpike Authority to alter Maximum Prima Facie Speed Limits on Turnpike Projects.

"(a) Whenever the Texas Turnpike Authority shall determine upon the basis of an engineering and traffic investigation that any maximum prima facie speed limit hereinbefore set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a turnpike constructed and maintained by it, taking into consideration the width and condition of the pavement and other circumstances on such portion of said turnpike as well as the usual traffic thereon, the Legislature hereby directs the Texas Turnpike Authority to determine and declare a reasonable and safe maximum prima facie speed limit thereat or thereon, by proper order of the Authority entered on its Minutes, for all vehicles or for any class or classes of vehicles, which limit, when appropriate signs giving notice thereof are erected, shall be effective at such intersections or other places or part of the highway at all times or during hours of daylight or darkness, or at such other times as may be determined.

"(b) The authority of the Texas Turnpike Authority to alter maximum prima facie speed limits shall be effective upon any part of any turnpike project constructed and maintained by it pursuant to House Bill No. 4, Chapter 410 Acts of 1953, Fifty-third Legislature, Regular Session, codified as Article 6674v, Vernon's Revised Civil Statutes of Texas as same may be amended, both within and without the corporate limits of any incorporated city, town or village, including Home Rule Cities. Such authority shall be exclusive with respect to any such project, and the authorities prescribed in Subsections 2 and 3 shall not apply upon any part of any such turnpike project; provided, however, that should any turnpike constructed

by the Texas Turnpike Authority ever become a part of the designated State Highway System, the State Highway Commission shall then have the sole authority to alter maximum prima facie speed limits thereon as prescribed in Subsection 2. The Texas Turnpike Authority shall not have the authority to alter the basic rule established in paragraph (a) of Subsection 1 nor to establish a speed limit higher than seventy (70) miles per hour.

"(c) The Texas Turnpike Authority shall, in conducting the engineering and traffic investigations specified in paragraph (a) of Subsection 4, follow the 'Procedure for Establishing Speed Zones' prepared by the Texas Highway Department which is in use on the effective date of this Act and as same may be subsequently revised for reasons of technological advancements in traffic operation, design and construction of highways and motor vehicles, as well as the safety of the motoring public."

"(d) No evidence shall be admissible in any prosecution for a violation of this Act which is or has been obtained by lying in wait unobserved, hiding or in any manner concealing, in whole or in part any equipment or the operator or operators thereof or in violation of the Acts of 1953, Fifty-third Legislature, page 669, Chapter 253, Section 1 (codified as Article 727a, Vernon's Annotated Code of Criminal Procedure of Texas) in determining the rate of speed at which any motor vehicle is at the time traveling on or being operated over any public highway, street, road or alley in this State, and provided further that all operators of equipment and officers whose primary duties are the enforcement of the traffic laws shall use and operate in uniformly and plainly marked vehicles, when in performance of their official duties.

"The provisions of the foregoing paragraph are cumulative of Acts of 1927, Fortieth Legislature, page 321, Chapter 218, Section 1, as amended by Acts of 1929, Forty-first Legislature, Second Called Session, page 83, Chapter 47, Section 1, as amended by Acts of 1930, Forty-first Legislature, Fifth Called Session, page 239, Chapter 76, Section 1 (codified as Article 803a, Vernon's Annotated Penal Code of Texas), and any violation hereof shall be punished as provided in said Article 803a.

Section 2. The importance of this legislation and the crowded condition of the calendar in both Houses creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the adoption of the above amendment.

Senator Willis offered the following amendment to the bill:

Amend Committee Substitute for Senate Bill No. 255 by striking out all above the enacting clause and inserting in lieu thereof the following:

A BILL

To be entitled

"An Act relating to the establishment of speed limits on turnpikes operated by the Texas Turnpike Authority, amending Section 8 of Chapter 42, Acts of the 41st Legislature, 2nd Called Session, as amended by Chap. 46, Acts of the 52nd Legislature, 1951, and by Chap. 488, Acts of 1955, 54th Legislature (now codified as Sec. 8 of Art. 827a of Vernon's Penal Code), by the addition of a new sub-section to be entitled Sub-section 2A, and further providing that evidence obtained by hidden or concealed means shall be inadmissible in prosecutions for such traffic violations; and declaring an emergency."

The amendment was adopted.

The bill as amended was passed to engrossment.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of C. S. S. B. No. 255 to engrossment.

Committee substitute Senate Bill 255 on Third Reading

Senator Willis moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that

C. S. S. B. No. 255 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Baker	Moore
Calhoun	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	

Nays—1

Hardeman

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—29

Aikin	Moffett
Baker	Moore
Calhoun	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	

Nays—1

Hardeman

Absent—Excused

Martin

Committee Substitute Senate Bill 384 on Second Reading

The Presiding Officer laid before

the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 384, A bill to be entitled "An Act permitting the commissioners court of all counties containing more than five hundred thousand (500,000) population according to the last preceding Federal Census to employ special counsel, providing special duties for such special counsel, providing that in any such county containing more than five hundred thousand (500,000) population according to the last preceding Federal Census, having a County Attorney whose primary duty it is to represent the State of Texas and the officials of such county in all civil matters, the employment of such special counsel shall be made made only upon the written request of such County Attorney."

The bill was read second time and was passed to engrossment.

**Committee Substitute
Senate Bill 384 on Third Reading**

Senator Willis moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 384 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

**Senate Concurrent Resolution 33
on Second Reading**

The Presiding Officer laid before the Senate on its second reading the following resolution:

S. C. R. No. 33, Requesting Texas Legislative Council to study health and welfare services of State and the appointment of an Advisory Committee.

The resolution was read and was adopted.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the adoption of S. C. R. No. 33.

**Senate Concurrent Resolution 30
on Second Reading**

The Presiding Officer laid before the Senate on its second reading the following resolution:

S. C. R. No. 30, Creating the Election Law Study Committee, Membership, Procedure, etc.

The resolution was read.

Senator Creighton offered the following amendment to the resolution:

Amend S. C. R. No. 30 by striking out all of lines 41, 42 and 43 and substituting in lieu thereof the following: "Resolved, that the Committee should be first assembled at the call of the Governor and shall appoint ten (10) additional members, five (5) of whom shall be county clerks, and five (5) of whom shall be chairmen of a county executive committee of a po-

litical party; the committee shall then elect from its membership a chairman and a secretary; and be it further"

The amendment was adopted.

Senator Creighton offered the following amendment to the resolution:

Further amend S. C. R. No. 30 by inserting an additional Resolving Clause, immediately preceding the last Resolving Clause, to read as follows:

"Resolved, that the expenses of Legislative Members only of the election Law Study Committee shall not exceed Two Thousand Dollars (\$2,000) and be it further"

The amendment was adopted.

The resolution as amended was then adopted.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the adoption of S. C. R. No. 30.

Senate Concurrent Resolution 42 on Second Reading

The Presiding Officer laid before the Senate on its second reading the following resolution:

S. C. R. No. 42, Granting The Nueces Company of Corpus Christi, Nueces County, Texas, permission to sue the State.

The resolution was read and was adopted.

House Bill 266 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 266, Amending Article 5695, Revised Civil Statutes of Texas, 1925, to provide fee amounts collected from the inspection of and certificate issuance to public weighers shall be deposited in the State Treasury to the credit of the Special Department of Agriculture Fund, which fees are to be used for administration and enforcement purposes; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 266 on Third Reading

Senator Moffett moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 266 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

House Bill 122 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 122, Amending Title 122A, Taxation—General, Chapter 1, Article 1.07, Acts of the Fifty-sixth Legislature, Third Called Session, 1959, providing for recording of lien of all taxes provided for in this Act, due the State of Texas before the taxes shall be a lien on real estate; providing such liens shall not be valid or effective as against mortgagee, purchaser, pledgee, holder of deed of trust lien or judgment creditor acquiring title, lien, or other right or interest before such notice has been so filed and recorded; adding a new Article denominated 1.07B providing for such lien to be a lien on real estate; repealing all laws or parts of laws in conflict herewith; providing the Act shall not apply to pending litigation; providing that a holding of unconstitutionality of any part of this Act shall not affect the remainder; and declaring an emergency.

The bill was read second time.

Senator Patman offered the following amendment to the bill:

Amend paragraph (1) of Article 1.07 as quoted in Section 1 of H. B. 122 by inserting at the end of line 44 following the word "originated," the following phrase "subject, however, to the modifications hereinafter contained."

The amendment was adopted.

On motion of Senator Patman and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 122 on Third Reading

Senator Patman moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 122 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Crump
Baker	Dies
Calhoun	Fuller
Colson	Gonzalez
Creighton	Hardeman

Hazlewood	Patman
Herring	Ratliff
Hudson	Reagan
Kazen	Roberts
Krueger	Rogers
Lane	Schwartz
Moffett	Secrest
Moore	Smith
Owen	Weinert
Parkhouse	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

House Bill 260 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 260, Validating, ratifying, confirming and approving contracts, script warrants and time warrants and refunding bonds authorized by counties or cities (including Home Rule Cities) or towns since the approval by the Governor of Texas of Chapter 321, Acts of the Fifty-sixth Legislature, Regular Session, 1959; validating, ratifying, confirming and approving time warrants and refunding bonds issued for the purpose of refunding time warrants and all proceedings, governmental acts, orders, ordinances, resolutions and other instruments relating to the issuance of time warrants and refunding bonds

for such purposes, of counties, cities (including Home Rule Cities) and towns; etc.; and declaring an emergency.

The bill was read second time.

Senator Lane offered the following amendment to the bill:

Amend House Bill 260, page 2 of the Senate-printed copy, by deleting the words and figures, "Three hundred and fifty thousand (350,000)," as they appear on lines 3 and 4 and on line 27, and inserting in lieu thereof in both instances the following "two hundred and fifty thousand (250,000).".

The amendment was adopted.

On motion of Senator Lane and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of H. B. No. 260 to third reading.

House Bill 260 on Third Reading

Senator Rogers moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 260 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Baker	Moore
Calhoun	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	

Nays—1

Hardeman

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—29

Aikin	Moffett
Baker	Moore
Calhoun	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	

Nays—1

Hardeman

Absent—Excused

Martin

House Bill 216 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 216, Amending Section 8 of Chapter 76, Acts of the Forty-third Legislature, First Called Session, 1933, to provide that water supply corporations may deposit funds in State Banks as well as National Banks, or in certain shares or share accounts of Building and Loan Associations and Savings and Loan Associations doing business in Texas; and declaring an emergency.

The bill was read second time and was passed to third reading.

House Bill 216 on Third Reading

Senator Roberts moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 216 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

House Bill 224 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 224, An Act to amend Section 1 of Chapter 112, page 235, Acts of the 55th Legislature, Regular Session, 1957 (compiled as Section 1 of Article 12691-2 of Vernon's Texas Civil Statutes) to authorize the Texas State Department of Health to provide planning assistance for political subdivisions and to accept grants

therefor under the provisions of the Federal Housing Act of 1954, as amended, or from other sources; and declaring an emergency.

The bill was read second time and was passed to third reading.

House Bill 224 on Third Reading

Senator Secrest moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 224 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

House Bill 360 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 360, An Act amending Chapter I of H. B. No. 11, Chapter 12, Acts of the 56th Legislature, Third Called Session, providing for simultaneously filing reports and paying the tax on or before May 1 of each year; dispensing with the requirement of filing reports in duplicate; authorizing exchange of information with other states and Federal Government; repealing all laws in conflict; and declaring an emergency.

The bill was read second time and was passed to third reading.

House Bill 360 on Third Reading

Senator Secrest moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 360 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Creighton
Baker	Crump
Calhoun	Dies
Colson	Fuller

Gonzalez	Parkhouse
Hardeman	Patman
Hazlewood	Ratliff
Herring	Reagan
Hudson	Roberts
Kazen	Rogers
Krueger	Schwartz
Lane	Secrest
Moffett	Smith
Moore	Weinert
Owen	Willis

Absent—Excused

Martin

Senate Bill 378 on Third Reading

The Presiding Officer laid before the Senate on its final passage S. B. No. 378 (The bill having been read the third time on Tuesday, March 28, 1961, and the vote on final passage reconsidered on the same date).

Question—Shall S. B. No. 378 be finally passed?

Senator Patman offered the following amendment to the bill:

Amend Senate Bill No. 378 by striking out Section 2 and substituting in lieu thereof the following:

"Sec. 2. As compensation for the additional duties hereby imposed, each member of the juvenile board shall be allowed additional compensation of not less than One Thousand Two Hundred Dollars (\$1,200) nor more than One Thousand Eight Hundred Dollars (\$1,800) per annum, to be fixed by the commissioners court and paid in twelve (12) equal installments out of the general fund or other available fund of the county. Such compensation shall be in addition to all other compensation now provided or allowed by law for county and district judges."

The amendment was read and was adopted by the following vote:

Yeas—30

Aikin	Herring
Baker	Hudson
Calhoun	Kazen
Colson	Krueger
Creighton	Lane
Crump	Moffett
Dies	Moore
Fuller	Owen
Gonzalez	Parkhouse
Hardeman	Patman
Hazlewood	Ratliff

Reagan	Secrest
Roberts	Smith
Rogers	Weinert
Schwartz	Willis

Absent—Excused

Martin

On motion of Senator Patman and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was finally passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

Senate Bills Added to Local Calendar

On motion of Senator Dies and by unanimous consent the following bills were added to the Local and Uncontested Bill Calendar: S. B. No. 186; S. B. No. 269; S. B. No. 152; S. B. No. 153.

Senate Bill 186 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 186, A bill to be entitled "An Act amending Article 7332 of the Revised Civil Statutes of Texas, 1925, as amended, relating to attorney's fees in suits for delinquent taxes; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on passage of S. B. No. 186 to engrossment.

Senate Bill 186 on Third Reading

Senator Fuller moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 186 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Nays—2

Hardeman Owen

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—28

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Nays—2

Hardeman Owen

Absent—Excused

Martin

Senate Bill 269 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 269, A bill to be entitled "An Act concerning the use of facsimile signatures and seals upon public securities and instruments of payment; repealing H. B. No. 725, Acts 1955, 54th Leg., Chapter 293; and declaring an emergency."

The bill was read second time.

Senator Aikin offered the following amendment to the bill:

Amend Senate Bill 269, Section 2, by adding a new paragraph to be known as "(c)" to be inserted after the word "payment" in line 42 of the printed bill, to read as follows:

"(c) In any suit or legal action instituted against the officer whose name is affixed under the provisions of this Act, it shall not be a defense that such name was affixed to any public security or instrument of payment, as herein defined, without his authority or consent."

AIKIN
HARDEMAN

The amendment was adopted.

On motion of Senator Aikin and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 269 on Third Reading

Senator Aikin moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 269 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Herring
Baker	Hudson
Calhoun	Kazen
Colson	Krueger
Creighton	Lane
Crump	Moffett
Dies	Moore
Fuller	Owen
Gonzalez	Parkhouse
Hardeman	Patman
Hazlewood	Ratliff

Reagan	Secrest
Roberts	Smith
Rogers	Weinert
Schwartz	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

Senate Bill 152 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 152, A bill to be entitled "An Act relating to petit juries in counties using the jury wheel; amending Article 2101 of the Revised Civil Statutes of Texas, 1925; providing that in counties having two or more criminal district courts and two or more district courts, two separate jury panels for the week may be drawn, one of which shall be drawn by and be in attendance upon those courts which have a criminal docket and the other to be drawn by and be in attendance upon those courts which have a civil docket; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 152 on Third Reading

Senator Baker moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three

several days be suspended and that S. B. No. 152 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

Senate Bill 153 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 153, A bill to be entitled "An Act relating to petit juries in counties using the jury wheel; amending Article 2102 of the Revised Civil

Statutes of Texas, 1925; providing that in those counties which draw two separate jury panels for the week, the commissioners court shall provide a room or place for each panel and the sheriff shall assign a deputy to look after each panel; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 153 on Third Reading

Senator Baker moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 153 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Hudson
Baker	Kazen
Calhoun	Krueger
Colson	Lane
Creighton	Moffett
Crump	Moore
Dies	Owen
Fuller	Parkhouse
Gonzalez	Patman
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts

Rogers	Smith
Schwartz	Weinert
Secrest	Willis

Absent—Excused

Martin

Conclusion of Local and Uncontested Bills Calendar

The Presiding Officer announced that the Local and Uncontested Bills Calendar was concluded.

House Bill 169 Ordered Not Printed

On motion of Senator Kazen and by unanimous consent H. B. No. 169 was ordered not printed.

At Ease

The Presiding Officer (Senator Hardeman in the Chair) at 10:30 o'clock a.m. announced that the Senate would stand At Ease until 10:45 o'clock a.m. today.

In Legislative Session

The President called the Senate to order as In Legislative Session at 10:45 o'clock a.m. today.

Senate Committee to Escort Guests to Joint Session

The President announced the appointment of the following pursuant to the provisions of H. C. R. No. 59 of the following as a committee to escort the distinguished guests to the Joint Session: Senators Hudson, Kazen, Reagan, Patman and Herring.

Senate Bill 72 with House Amendments

Senator Parkhouse called S. B. No. 72 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Parkhouse moved that the Senate concur in the House amendments.

The motion prevailed.

Joint Session

(For Opening Session of the International Good Neighbor Commission.)

The President announced at 11:00 o'clock a.m. that the time had arrived

pursuant to the provisions of H. C. R. No. 59 for the Joint Session to open the 14th Assembly of the International Good Neighbor Council.

The President Pro Tempore of the Senate and the Senators present escorted by the Sergeant-at-Arms and the Secretary of the Senate proceeded to the Hall of the House of Representatives at 11:00 o'clock a.m.

The President Pro Tempore was invited to occupy a seat on the Speaker's Rostrum.

The Senators were announced and were admitted and escorted to seats prepared for them along the aisle.

The President Pro Tempore called the Senate to order, and announced a quorum of the Senate present.

Honorable James Turman, Speaker of the House of Representatives, called the House to order, announced a quorum of the House present.

The officers of the International Good Neighbor Council and party were announced by the Doorkeeper of the House.

The guests were escorted to the Speaker's Rostrum by Senators Hudson, Kazen, Reagan, Patman and Herring, on the part of the Senate, and Representatives de la Garza, Johnson of Bexar, Peeler, Slack and Tunnell, on the part of the House.

The Speaker of the House announced the purpose of the Joint Session and presented Representative Eligio de la Garza to the Joint Session.

Mr. de la Garza requested that the Colors of the member countries of the International Good Neighbor Commission be advanced. The colors were posted adjacent to the Speaker's Rostrum. Mr. de la Garza then presented the following guests: Dr. Francisco Villigran of Mexico; Sr. Angel Cano del Castillo, Consul General of Mexico at San Antonio; Sr. Jose F. Muquerza, representative of the Governor of Nuevo Leon; the Honorable Carlos Alejos, Ambassador from Guatemala to the United States; Admiral Louis J. Kirn, Chief of Naval Air Advanced Training of Corpus Christi Naval Air Station and the following officers of the International Good Neighbor Council: Lic. Emilio Villarreal Guerra, president; Sr. Ricardo

Orozco, Vice-President of Mexican Region; Mr. Jack Drake, Vice-President of United States Region; Mrs. Chester Wine, Treasurer, and Sr. Joaquin Cicero, Secretary.

Mr. de la Garza then presented His Excellency, Price Daniel, Governor of Texas. Governor Daniel extended a warm welcome to the delegates to the International Good Neighbor Council and commended the Texas Legislature for its participation in the ceremonies.

Mr. de la Garza then presented Lic. Emilio Villarreal Guerra and he addressed the Joint Session.

Mr. de la Garza presented Major Richard Laing, representative of the Governor of New Mexico to the Joint Session as a delegate and then presented the Honorable Carlos Alejos, the Ambassador from Guatemala, to the Joint Session.

Mr. Alejos then addressed the Joint Session.

Mr. de la Garza then presented the Mariachia la Palmares of Monterrey through the courtesy of Cervceria Cauhtemoc, S. A., Monterrey, who rendered several musical selections for the enjoyment of the Joint Session.

At the conclusion of the Joint Session the President Pro Tempore announced the purpose of the Joint Session concluded and requested the Senate to retire to its Chamber.

In Legislative Session

The President called the Senate to order as In Legislative Session at 12:15 o'clock p.m.

House Concurrent Resolution 74 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 74, Extending congratulations to Chill Wills on being nominated for an Academy Award.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted.

Recess

On motion of Senator Hardeman the Senate at 12:17 took recess until 2:00 o'clock p.m. today.

After Recess

The President Pro Tempore called the Senate to order at 2:00 o'clock p.m. today.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 11, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 48, Recalling S. C. R. No. 26 from the Governor's Office for correction.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Reports of Standing Committees

Senator Rogers by unanimous consent submitted the following reports:

Austin, Texas,
April 11, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred S. B. No. 275, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ROGERS, Chairman.

Austin, Texas,
April 11, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred S. B. No. 428, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

ROGERS, Chairman.

Austin, Texas,
April 11, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred S. B. No. 434, have had the same under consideration, and we are instructed

to report it back to the Senate with the recommendation that it do pass and be printed.

ROGERS, Chairman.

Senator Hardeman by unanimous consent submitted the following reports:

Austin, Texas,
April 11, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. B. No. 93, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
April 11, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 309, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
April 11, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 326, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
April 11, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 385, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
April 11, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 312, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that committee substitute adopted in lieu thereof do pass and be printed.

HARDEMAN, Chairman.

C. S. S. B. No. 312 was read the first time.

Austin, Texas,
April 11, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. C. R. No. 47, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Senate Bill 436 on First Reading

Senator Hardeman by unanimous consent for Senator Roberts who was presiding moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas 25

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hardeman	Schwartz
Hazlewood	Secrest
Kazen	Willis
Krueger	

Absent

Herring	Smith
Hudson	Weinert
Owen	

Absent—Excused

Martin

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Roberts:

S. B. No. 436, A bill to be entitled "An Act amending Section 2; Section 3, subsection A; section 9; and section 15 of House Bill 4, Acts of the 56th Legislature, 1959, Regular Session, Chapter 382, page 844, also known as Article 6066d, VCS to define the terms 'Original License,' Application For Original License,' and 'Grandfather Application'; to declare that retail dealers are affected with a public interest and to empower and direct the Railroad Commission of Texas to promulgate and adopt rules and regulations to assure reasonably adequate service by retail dealers to the general public; to set forth certain matters to be included in applications for original licenses and in grandfather applications; to require holders of retail dealers' licenses issued prior to the effective date of this Act to file applications to amend such licenses; to provide for hearings on applications for original licenses and on certain grandfather applications; to provide for filing protests to grandfather applications; to require the Commission to post notice of hearings on applications for original licenses and grandfather applications; to permit interested parties to appear at such hearings and present testimony; to require applicants to name the county or counties they seek to be retail dealers' licenses; to require applicants for original retail dealers' licenses to prove convenience and necessity and inadequacy of existing service; to require grandfather applicants to prove reasonably continuous, bona fide operation; to set forth criteria to be considered by the Commission in granting or denying applications; to require the Commission to enter orders noting the county or counties in regard to which applicants for retail dealers' licenses shall have sustained their burden of proof; to require the Commission to enter orders noting the county or counties in regard to which grandfather applicants have sustained their burden of

proof, or, if grandfather applicants fail to sustain their burden of proof, noting that fact and the county in which their principal place of business is located; to require the Commission to make the amendments requested in grandfather applications when no protest is filed, but prohibiting the Commission from amending licenses of such applicants so as to add categories not included in such licenses or to include counties not named in such applications; to require the Commission to amend licenses in hearings on grandfather applications when protests have been filed, to require the Commission to amend such certificates so as to permit such grandfather applicants to operate as retail dealers in the county or counties as to which the applicants have sustained their burden of proof upon public hearing and in no other county or counties, to require the Commission, where such grandfather applicants fail to sustain their burden of proof, to amend such licenses so as to permit such grandfather applicants to operate as retail dealers in the county where such applicants' principal place of business is located and in no other county or counties, and to prohibit the Commission from amending such licenses as to categories other than 'retail dealers'; to require the Commission upon the issuance of a temporary license to name the county or counties in which the licensee shall be permitted to operate in the category of 'retail dealer'; to require the Commission, in the case of a retail dealer holding a license issued prior to the effective date of this Act, who fails for one hundred eighty (180) days after the effective date of this Act to file a grandfather application, as provided in Section 9., subsection A. (2), to revoke such licenses to the extent it authorizes the holder to operate as a retail dealer; to relieve applicants for renewal of licenses of the duty of stating that storage facilities conform with 'Section 8.' and submitting copies of leases of storage facilities; providing for the severability of any Section of this Act found to be void or unconstitutional; repealing all or part of laws in conflict with this Act; and declaring an emergency."

To the Committee on State Affairs.

Committee Substitute
Senate Bill 312 Ordered Not Printed

On motion of Senator Calhoun and

by unanimous consent C. S. S. B. No. 312 was ordered not printed.

Senate Bill 437 on First Reading

Senator Fuller by unanimous consent moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—25

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hardeman	Schwartz
Hazlewood	Secrest
Kazen	Willis
Krueger	

Absent

Herring	Smith
Hudson	Weinert
Owen	

Absent—Excused

Martin

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Fuller:

S. B. No. 437, A bill to be entitled "An Act amending Chapter 320, Acts of the 56th Legislature, Regular Session, 1959 (Article 2745c, Vernon's Texas Civil Statutes), to add a provision authorizing the use of voting machines for absentee voting for school trustees in counties where voting machines have been adopted; repealing conflicting laws to the extent of conflict; and declaring an emergency."

To the Committee on Jurisprudence.

Senate Bill 438 on First Reading

By unanimous consent the following local bill was introduced, read first time and referred to the committee indicated:

By Senator Secrest:

S. B. No. 438, A bill to be entitled "An Act to create the Castleman Creek Watershed Association as a conservation and reclamation district in McLennan County under the provisions of Article XVI, Section 59 of the Constitution of Texas; prescribing the duties, powers, functions and procedures for the district, including the right to participate in the organization of subordinate districts to carry out the functions of the master district under certain circumstances and conditions; providing for the incurring of obligations and methods for the selections of manner for paying such obligations of the master and subordinate districts; providing for a governing body and prescribing their duties; adopting certain provisions of the general law; enacting other provisions required for the functioning of the master and subordinate districts; providing a severance clause; and declaring an emergency."

To the Committee on Water and Conservation.

(President in the Chair.)

Committee Substitute

Senate Bill 107 on Second Reading

Senator Hardeman moved to suspend the regular order of business and take up C. S. S. B. No. 107 for consideration at this time.

The motion prevailed by the following vote:

Yeas—18

Aikin	Lane
Calhoun	Moffett
Colson	Parkhouse
Dies	Ratliff
Gonzalez	Reagan
Hardeman	Schwartz
Hazlewood	Secrest
Hudson	Smith
Kazen	Willis

Nays—7

Creighton	Owen
Crump	Patman
Krueger	Rogers
Moore	

Absent

Baker	Roberts
Fuller	Weinert
Herring	

Absent—Excused

Martin

The President laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 107, A bill to be entitled "An Act relating to liens for persons, firms, lumber dealers or corporations, artisans, laborers, mechanics, subcontractors who labor, especially fabricate material or furnish labor or material for certain construction or repair works; creating liens to secure payment, defining the meaning of certain words and terms used in this Act; prescribing the manner of fixing and securing liens; establishing a lien for certain specially fabricated materials contracted for; establishing a procedure for the retention of funds and the payment of claims; providing for forms for claims; establishing a procedure for giving notice of claims; requiring the original contractor to defend certain suits; providing for the equality of liens and establishing a preference for liens of artisans and mechanics perfected as herein provided; permitting a bond to be filed for the payment of liens or claims and establishing the procedure for the filing of such bond and the perfecting and payment of claims; amending Articles 5452, 5453, 5454, 5455, 5456, 5463, 5467, 5468 and 5469 of Title 90 of the Revised Civil Statutes of Texas, 1925; repealing Articles 5457, 5461, 5462 and 5465 of Title 90 of the Revised Civil Statutes of Texas, 1925; fixing the effective date of this Act and prescribing the contracts to which it applies and the contracts which shall continue to be governed by the law heretofore applicable; providing for severability; and declaring an emergency."

The bill was read second time.

Senator Hardeman offered the following amendment to the bill:

Amend Committee Substitute for Senate Bill No. 107, Section 8, by striking out the last sentence thereof and inserting in lieu the following:

"Nothing in this Act shall in any manner affect the contractor as to the amount of said contract price or except as provided in Articles 5454, 5463 and 5469, as to the manner or time of payment of said contract price."

The amendment was adopted.

Senator Patman offered the following amendment to the bill:

Amend Committee Substitute for Senate Bill 107 as printed by striking Section 9 thereof and renumbering succeeding sections in conformity with such deletion.

The amendment was read.

On motion of Senator Hardeman the amendment was tabled by the following vote:

Yeas—16

Aikin	Lane
Calhoun	Moffett
Colson	Parkhouse
Creighton	Ratliff
Hardeman	Reagan
Hazlewood	Schwartz
Hudson	Secrest
Kazen	Smith

Nays—8

Crump	Patman
Gonzalez	Roberts
Krueger	Rogers
Owen	Willis

Absent

Baker	Herring
Dies	Moore
Fuller	Weinert

Absent—Excused

Martin

Senator Patman offered the following amendment to the bill.

Amend Committee Substitute for Senate Bill 107 by adding the following section following line 34 of page 4 of such printed bill:

"4. All affidavits, notices, bills, or other papers or communications transmitted to an owner for the purpose of assisting in the perfection of any lien or claim must contain a clearly worded notice to such owner that he must retain sufficient funds to pay such claim, or otherwise see that such claim is paid."

The amendment was read and was adopted.

Senator Patman offered the following amendment to the bill:

Amend Committee Substitute for Senate Bill 107 by striking the following words on lines 4 and 5 of page 4 of such printed bill:

"A copy of the statement or billing in the usual and customary form shall suffice as such notice."

The amendment was read and was adopted.

Senator Crump offered the following amendment to the bill:

Amend Section 9 of Committee Substitute for Senate Bill 107 by adding the following sentence at the end of this Section:

"Nothing in this Article (Article 5469) as amended by this bill shall ever apply to the construction of any home, house or any building or structure used or to be used as a homestead, residence or for agricultural or ranch purposes."

The amendment was read.

On motion of Senator Hardeman the amendment was tabled by the following vote:

Yeas—19

Aikin	Kazen
Baker	Lane
Calhoun	Moffett
Colson	Parkhouse
Creighton	Ratliff
Dies	Reagan
Fuller	Roberts
Hardeman	Schwartz
Hazlewood	Smith
Hudson	

Nays—8

Crump	Patman
Gonzalez	Rogers
Krueger	Secrest
Owen	Willis

Absent

Herring	Weinert
Moore	

Absent—Excused

Martin

Senator Owen offered the following amendment to the bill:

Amend Committee Substitute to S. B. 107, Section 10, line 46 by deleting the word "solely" and substituting therefor the following:

"to the benefit of the owner and"

The amendment was read and was adopted.

Senator Owen offered the following amendment to the bill:

Amend Committee Substitute to S. B. 107 by deleting the word "written" in line 36 page 7, Section 10, of the printed bill.

The amendment was read.

On motion of Senator Hardeman the amendment was tabled by the following vote:

Yeas—14

Mr. President	Lane
Aikin	Moffett
Calhoun	Parkhouse
Colson	Ratliff
Creighton	Reagan
Hardeman	Schwartz
Hazlewood	Smith

Nays—13

Baker	Owen
Crump	Patman
Dies	Roberts
Gonzalez	Rogers
Hudson	Secrest
Kazen	Willis
Krueger	

Absent

Fuller	Moore
Herring	Weinert

Absent—Excused

Martin

The President announced he voted "Yea."

Senator Owen offered the following amendment to the bill:

Amend Committee Amendment to S. B. 107 Section 2(b) (3), page 2, by deleting all of sub-sub section (3).

The amendment was read.

On motion of Senator Hardeman the amendment was tabled by the following vote:

Yeas—18

Aikin	Kazen
Baker	Lane
Calhoun	Moffett
Colson	Moore
Creighton	Parkhouse
Dies	Ratliff
Hardeman	Reagan
Hazlewood	Schwartz
Hudson	Smith

Nays—9

Crump	Roberts
Gonzalez	Rogers
Krueger	Secrest
Owen	Willis
Patman	

Absent

Fuller	Weinert
Herring	

Absent—Excused

Martin

Senator Patman offered the following amendment to the bill:

Amend committee substitute for S. B. 107 by striking the following words on line 4 and 5 of page 7 of the printed copy of such bill:

“the tenth (10th) day of the month next following the month in which”

And striking on lines 17 and 18 of such page the following words:

“after the tenth (10th) day of the month”

The amendment was read and was adopted.

Senator Crump offered the following amendment to the bill:

Amend C. S. S. B. No. 107 by adding a new section as follows:

“Sec. 15. Nothing in this Act shall enlarge the contract or contracts between the owner and the original contractor.

The amendment was read.

On motion of Senator Hardeman the amendment was tabled by the following vote:

Yeas—17

Aikin	Lane
Baker	Moffett
Calhoun	Parkhouse
Colson	Ratliff
Creighton	Reagan
Dies	Roberts
Hardeman	Schwartz
Hazlewood	Smith
Hudson	

Nays—9

Crump	Patman
Gonzalez	Rogers
Kazen	Secrest
Krueger	Willis
Owen	

Absent

Fuller	Moore
Herring	Weinert

Absent—Excused

Martin

Senator Owen offered the following amendment to the bill:

Amend Committee Substitute to S. B. 107 by inserting a new section to be numbered Section 12 and to read as follows:

No funds shall be received by the contractor except upon his or its affidavit before a Notary Public that all persons entitled to liens under this Act have been fully paid and discharged.

The amendment was read.

On motion of Senator Hardeman the amendment was tabled.

On motion of Senator Hardeman and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Record of Votes

Senators Krueger, Creighton and Patman asked to be recorded as voting “Nay” on the passage of C. S. S. B. No. 107 to engrossment.

Motion to Place
Committee Substitute
Senate Bill 107 on Third Reading

Senator Hardeman moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 107 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

Yeas—22

Aikin	Hudson
Baker	Kazen
Calhoun	Lane
Colson	Moffett
Dies	Moore
Gonzalez	Parkhouse
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts

Schwartz
Secrest

Smith
Willis

Nays—6

Creighton
Crump
Krueger

Owen
Patman
Rogers

Absent

Fuller

Weinert

Absent—Excused

Martin

Report of Standing Committee

Senator Aikin by unanimous consent submitted the following report:

Austin, Texas,
April 11, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 388, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Message from the House

Hall of the House of Representatives
Austin, Texas,
April 11, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following.

H. C. R. No. 38, Authorizing the erection of a monument to men and women who served in World War I, to be placed on Capitol grounds at no expense to State.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Motion to Place

Senate Bill 166 on Second Reading

Senator Hudson asked unanimous consent to suspend the regular order of business and take up S. B. No. 166 for consideration at this time.

There was objection.

Senator Hudson then moved to suspend the regular order of business and take up S. B. No. 166 for consideration at this time.

The motion was lost by the following vote:

Yeas—9

Dies
Gonzalez
Herring
Hudson
Lane

Owen
Reagan
Roberts
Willis

Nays—19

Aikin
Baker
Calhoun
Colson
Creighton
Crump
Fuller
Hardeman
Hazlewood
Kazen

Krueger
Moffett
Moore
Parkhouse
Patman
Ratliff
Rogers
Secrest
Smith

Present—Not Voting

Schwartz

Absent

Weinert

Absent—Excused

Martin

Reason for Vote

As author of a separate Act which would enact an uncontroversial part of Senate Bill No. 166, and that Act having been requested by my constituents who are opposed to Senate Bill No. 166 in its present form, I preferred not to vote on the motion to suspend the rules in order to take up and consider Senate Bill No. 166. I therefore voted "Present and not voting."

SCHWARTZ

(Senator Hardeman in the Chair.)

Motion to Place

Senate Bill 65 on Second Reading

Senator Hazlewood moved to suspend the regular order of business and take up S. B. No. 65 for consideration at this time.

(President in the Chair.)

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—16

Aikin

Dies

Gonzalez	Parkhouse
Hazlewood	Patman
Herring	Rogers
Kazen	Schwartz
Lane	Secrest
Moore	Smith
Owen	Willis

Nays—13

Baker	Hudson
Calhoun	Krueger
Colson	Moffett
Creighton	Ratliff
Crump	Reagan
Fuller	Roberts
Hardeman	

Absent

Weinert

Absent—Excused

Martin

Senate Bill 118 on Second Reading

Senator Kazen moved to suspend the regular order of business and take up S. B. No. 118 for consideration at this time.

The motion prevailed by the following vote:

Yeas—21

Aikin	Moore
Baker	Owen
Colson	Parkhouse
Creighton	Ratliff
Crump	Reagan
Dies	Rogers
Fuller	Schwartz
Gonzalez	Secrest
Hazlewood	Smith
Herring	Willis
Kazen	

Nays—8

Calhoun	Lane
Hardeman	Moffett
Hudson	Patman
Krueger	Roberts

Absent

Weinert

Absent—Excused

Martin

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 118, A bill to be entitled

"An Act fixing the maximum rate of ad valorem tax for maintenance of public schools in Independent School Districts located in counties having a population of less than Twenty Thousand (20,000), according to the last preceding Federal Census at Two Dollars (\$2.00) per One Hundred (\$100.00) Dollars valuation of taxable property; declaring the Act to be cumulative of other laws and repealing other laws in conflict herewith; and declaring an emergency."

The bill was read second time.

Senator Kazen offered the following amendment to the bill:

Amend Senate Bill No. 118 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. The Board of Trustees for any independent school district located in or under the jurisdiction of any county having a population of less than Twenty Thousand (20,000) inhabitants, according to the last preceding Federal Census, shall have the power to levy and cause to be collected the annual taxes and to issue the bonds herein authorized, subject to the following provisions:

"1. In any such independent school district for the further maintenance of public free schools, an annual ad valorem tax may be levied not to exceed, in districts having a bonded indebtedness of seven per cent (7%) or less of its total assessed value of taxable property, Two Dollars (\$2.00) on the One Hundred Dollars (\$100.00) assessed value of taxable property in the district. For each one per cent (1%) or major fraction thereof, increase in bonded indebtedness beyond seven per cent (7%) of the assessed value of taxable property in such school district, the maximum maintenance rate shall be decreased by ten cents (10¢). The maximum maintenance rates which may be levied annually in any district shall conform to the following schedule:

"Bonded indebtedness in the amount of seven per cent (7%) or less of the assessed value of taxable property . . .	\$2.00
"Bonded indebtedness in the amount of eight per cent (8%) of the assessed value of taxable property	\$1.90

"Bonded indebtedness in the amount of nine per cent (9%) of the assessed value of taxable property\$1.80

"Bonded indebtedness in the amount of ten per cent (10%) of the assessed value of taxable property\$1.70

"Provided, however, that such annual ad valorem tax levied may not exceed the maximum established by a majority vote of the resident qualified taxpaying voters of the district, voting in an election held for such purpose.

"2. In any such independent school district, for the purchase, construction, repair or equipment of public free school buildings, and the purchase of necessary sites therefor, said district may issue bonds and may levy ad valorem taxes in an amount sufficient to pay the interest on and principal of all bonds issued for such purpose, provided that such bonds shall never be issued by any district in an amount which would exceed ten per cent (10%) of the assessed value of taxable property in such school district, according to the then last completed and approved tax rolls of such district.

"3. No tax shall be levied, collected, abrogated, diminished, or increased, and no bond shall be issued hereunder until such action has been authorized by a majority of the votes cast at such election held in the district for such purposes, at which none but property taxpaying qualified voters of such district, whose property has been duly rendered for taxation, shall be entitled to vote.

"Sec. 2. General laws applicable to an independent school district prescribing the manner of calling and holding of tax and bond election shall govern such district in the calling and holding of the election permitted or required under this Act, and the applicable laws prescribing the method and manner of levying, assessing, and collecting taxes and issuing bonds, shall govern the levying, assessing, and collecting of taxes and issuing of bonds authorized herein.

"Sec. 3. The provisions of this Act shall be cumulative of other laws; provided, however, that this Act shall not apply to any such school district until and unless a maintenance tax hereunder is adopted by majority vote of the resident, qualified, property taxpaying voters of the district who

own taxable property therein and which has been duly rendered for taxation, voting at an election therefor, and if such tax is so adopted, then the provision of this Act shall apply to such independent district; provided, further, that elections for bonds under this Act may be held at the same time as maintenance tax elections (including the first maintenance tax election called and held under this Act).

"Sec. 4. If any provision or section of this Act is held unconstitutional or invalid, such invalidity shall not affect the remaining provisions hereof, but all other parts shall remain in full force and effect.

"Sec. 5. The importance of this legislation creates an emergency and imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

Senator Kazen offered the following amendment to the bill:

Amend Senate Bill No. 118 by striking out all above the enacting clause and substituting in lieu thereof the following:

"An Act fixing the maximum rate of tax for maintenance purposes in independent school districts located in or under the jurisdiction of any county having a population of less than Twenty Thousand (20,000) according to the last preceding Federal census, to an amount not to exceed Two Dollars (\$2.00) on the One Hundred Dollars (\$100.00) property valuation; providing for a decreasing maximum maintenance rate; providing for a vote of the people before such tax may be levied; providing for the issuance of bonds for the purchase, construction, repair and equipment of public free schools not to exceed ten per cent (10%) of the total assessed valuation of the district; and providing that said districts may levy ad valorem taxes in an amount sufficient to pay the interest on and principal of all bonds hereafter issued for such purpose; providing for a vote of the people before such bonds may be issued or such tax rates levied; providing

that the provisions of this Act shall be cumulative; providing a severability clause; and declaring an emergency."

The amendment was adopted.

The bill as amended was passed to engrossment.

Motion to Place Senate Bill 118 on Third Reading

Senator Kazen moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 118 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

Yeas—16

Aikin	Kazen
Colson	Owen
Creighton	Parkhouse
Crump	Rogers
Dies	Schwartz
Fuller	Secrest
Gonzalez	Smith
Hazlewood	Willis

Nays—11

Calhoun	Moffett
Hardeman	Patman
Herring	Ratliff
Hudson	Reagan
Krueger	Roberts
Lane	

Absent

Baker	Weinert
Moore	

Absent—Excused

Martin

Senate Resolution 299

Senator Fuller offered the following resolution:

Whereas, It is the desire of the Legislature to recognize outstanding Texas citizens such as Orange County's Robert Jerald King and Sue Hill of Sinton, both of whom brought honor to Lamar State College of Technology by winning the intercollegiate television debate tournament, "Young America Speaks"; and

Whereas, Robert Jerald King is the son of Mr. and Mrs. Homer E. King

of Orange. Sue Hill is the daughter of Mr. and Mrs. K. H. Foote of Sinton; and

Whereas, These two victorious debaters are to be commended for their initiative and wit and enthusiasm and Lamar State College of Technology is to be congratulated for having such successful and spirited students; now, therefore, be it

Resolved, That the Senate of the Fifty-seventh Legislature wishes Robert Jerald King of Orange County and Sue Hill of Sinton continued success and predicts that they will go far in their future endeavors to promote their outstanding accomplishments.

FULLER
PATMAN

The resolution was read and was adopted.

Message from the Governor

The following message received from the Governor today was read and was referred to the Committee on Nominations:

Austin, Texas,
April 11, 1961.

To the Senate of the Fifty-seventh Legislature.

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be members of the Board of Directors of Texas Agricultural and Mechanical College, for six-year terms to expire January 10, 1967: Clyde Thompson of Diboll, Angelina County; Clyde Wells of Granbury, Hood County; H. C. Heldenfels of Corpus Christi, Nueces County.

To be members of the Board of Directors of Texas Technological College, for six-year terms to expire February 19, 1967: R. Wright Armstrong of Fort Worth, Tarrant County; Alvin R. Allison of Levelland, Hockley County; J. Edd McLaughlin of Ralls, Crosby County.

To be members of the Texas Commission on Higher Education: For six-year terms to expire March 31, 1967: Watson Wise of Tyler, Smith County; Jesse C. Cooper of Dumas, Moore County; L. L. Duckett of El Campo, Wharton County; John E. Gray of Beaumont, Jefferson County; Ralph Logan of San Angelo, Tom Green County. For a term to expire

March 31, 1965: Miss Elizabeth Koch of San Antonio, Bexar County.

To be members of the State Board of Nurse Examiners, for six-year terms to expire April 9, 1967: Sister Andrea Hickey of El Paso, El Paso County; Miss Bernice R. Johnson of Austin, Travis County.

Respectfully submitted,

PRICE DANIEL,
Governor of Texas.

Committee to Escort the Vice-President of the United States and the Chancellor of the Federal Republic of Germany to Joint Session

The President announced the appointment of the following committee pursuant to the provisions of S. C. R. No. 45 to escort the Honorable Lyndon B. Johnson and Chancellor Adenauer to the Joint Session: Senators Krueger, Herring, Roberts, Hardeman and Baker.

Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolution:

S. C. R. No. 44, Recalling H. B. No. 77 from the House to the Senate for further consideration.

Senate Resolution 301

Senator Herring offered the following resolution:

Whereas, On Monday, April 17, 1961, the Honorable Konrad Adenauer, Chancellor of the Federal Republic of Germany and the Honorable Lyndon B. Johnson, Vice President of the United States, will visit Austin and will address a joint session of the Texas Legislature; and

Whereas, A parade up Congress Avenue will precede the visit to the Capitol, and the official party will proceed up the street on the east side of the main front sidewalk to the Capitol, and in order to have proper access along said street, it is desirable to clear the west side of this street of parked cars until 1:00 p.m. on such day; now, therefore, be it

Resolved, That the Sergeant-at-Arms take the necessary steps to keep that portion of the street clear from Congress Avenue to the south Capitol entrance until 1:00 p.m. Monday, April 17, 1961.

The resolution was read and was adopted.

**Committee Substitute
Senate Bill 100 on Second Reading**

Senator Owen moved to suspend the regular order of business and take up C. S. S. B. No. 100 for consideration at this time.

The motion prevailed by the following vote:

Yeas—21

Calhoun	Moffett
Creighton	Owen
Crump	Parkhouse
Fuller	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Willis
Lane	

Nays—5

Aikin	Patman
Colson	Rogers
Dies	

Absent

Baker	Moore
Gonzalez	Weinert

Absent—Excused

Martin

The President laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 100, A bill to be entitled "An Act to amend Chapter 315, page 517, being Senate Bill No. 176, Acts of 1945, 49th Legislature, as amended by Chapter 369, page 621, being Senate Bill No. 273, Acts of 1951, 52nd Legislature, known as the Public Accountancy Act of 1945, and codified as Article 41a, Vernon's Annotated Civil Statutes of 1925, as amended; repealing all laws in conflict therewith; and declaring an emergency."

The bill was read second time.

Senator Owen offered the following amendment to the bill:

Amend Section 7, (f), fifth paragraph, beginning with the words "A candidate who has met" and ending with the words "above of this sec-

tion," by striking out all of said paragraph and substituting in lieu thereof the following:

"A candidate who has met the educational requirements but has not met the experience requirements provided for herein, shall be eligible to take the examination in all subjects except accounting practice without waiting until he meets the experience requirements, or a candidate who has met the educational requirements as specified in (3) of (e) above shall be eligible to take the entire examination without waiting until he meets the experience requirements, provided that in either case he also meets the requirements of (a), (b), and (d) above of this Section."

The amendment was adopted.

Senator Roberts offered the following amendment to the bill:

Amend S. B. No. 100 by adding the following sentence after the period at line 37, page 6:

"No graduate from a recognized business accounting school shall be prohibited from taking the CPA examination, and further provided that all examination papers shall be graded within the State of Texas."

The amendment was read.

On motion of Senator Owen the amendment was tabled by the following vote:

Yeas—16

Calhoun	Owen
Creighton	Parkhouse
Fuller	Ratliff
Gonzalez	Reagan
Hazlewood	Schwartz
Hudson	Secrest
Kazen	Smith
Moffett	Willis

Nays—11

Aikin	Krueger
Colson	Lane
Crump	Patman
Dies	Roberts
Hardeman	Rogers
Herring	

Absent

Baker	Weinert
Moore	

Absent—Excused

Martin

Senator Dies offered the following amendment to the bill:

Amend S. B. 100 by adding the following:

"No person may practice under this profession without a certificate of convenience and necessity from the board."

The amendment was read.

On motion of Senator Owen the amendment was tabled.

Question—Shall C. S. S. B. No. 100 be passed to engrossment?

Welcome Resolutions

S. R. No. 295—By Senator Lane: Extending welcome to students and teacher of Dunbar High School of Ferris.

S. R. No. 297—By Senator Herring: Extending welcome to students and teachers of T. N. Porter Junior High School and teacher of Austin.

S. R. No. 298—By Senator Creighton: Extending welcome to Miss Enid Justin.

S. R. No. 300—By Senator Herring: Extending welcome to students of Twelfth Street Elementary School of Taylor and teacher of Taylor.

Memorial Resolution

S. R. No. 296—By Senator Willis: Memorial resolution for George Patrick Gleeson.

Adjournment

On motion of Senator Hardeman the Senate at 5:58 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

FIFTIETH DAY

(Wednesday, April 12, 1961)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Dies
Baker	Fuller
Calhoun	Gonzalez
Colson	Hardeman
Creighton	Hazlewood
Crump	Herring